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5
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FIRE INSURANCE COMPANY

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION
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11 WEST MARINE PRODUCTS, INC., a
California Corporation,
12
13 Plaintiffs,

14 v.

15 NATIONAL UNION FIRE
INSURANCE COMPANY OF
PITTSBURGH, PA, a Pennsylvania
16 Corporation; WESTCHESTER FIRE
INSURANCE COMPANY, a
17 Pennsylvania Corporation; FEDERAL
INSURANCE COMPANY, a New
18 Jersey Corporation; and DOES 1
through 10, inclusive,
19
20 Defendants.

Case No. 5:21-cv-01940-EJD
[Assigned to United States District
Judge Edward J. Davila and United
States Magistrate Judge Nathanael M.
Cousins]

JOINT NOTICE OF SETTLEMENT

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22 **JOINT NOTICE OF SETTLEMENT**

23 Plaintiff West Marine Products, Inc. and Defendant Westchester Fire
24 Insurance Company give notice that the parties have reached a settlement of all
25 claims asserted in this case. The parties have executed a written settlement
26 agreement, and they anticipate filing a stipulation for dismissal with prejudice
27 within the next 30-45 days. In light of the settlement, the parties withdraw the
28

1 following pending motions: (1) Westchester's Motion for Judgment on the
2 Pleadings (Docket #53); and (2) West Marine's Request for Leave to File Amended
3 Complaint (Docket #56).

4
5 Dated: March 23, 2023

CLYDE & CO US LLP

6
7
8 By: /s/ Sean R. Simpson

Ralph A. Guirgis

9 Sean R. Simpson

10 Attorneys for Defendants

11 WESTCHESTER FIRE INSURANCE

COMPANY and FEDERAL INSURANCE

12 COMPANY

13
14 Dated: March 23, 2023

PASICH LLP

15
16 By: /s/ Shaun H. Crosner

Shaun H. Crosner

17 Michael S. Gehrt

18 Jacquelyn M. Mohr

Attorneys for Plaintiff WEST MARINE

19 PRODUCTS, INC.

CLYDE & CO US LLP
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ATTESTATION

I, Sean R. Simpson, am the ECF user whose identification and password are being used to file the instant document. Pursuant to Local Rule 5-1(i)(3), I certify that all other signatories listed in this document, and on whose behalf the filings are submitted, concur in the filings' content and have authorized filings.

Dated: March 23, 2023

/s/ Sean R. Simpson
Sean R. Simpson

CERTIFICATE OF SERVICE

West Marine Products, Inc. v. National Union Fire Insurance Company of Pittsburgh, PA, et al.

**USDC, Northern District of California - San Jose Division
Case No. 5:21-cv-01940-EJD**

STATE OF CALIFORNIA, COUNTY OF ORANGE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 2020 Main Street, Suite 1100, Irvine, CA 92614.

On March 23, 2023, I served true copies of the following document(s) described as **JOINT NOTICE OF SETTLEMENT** on the interested parties in this action as follows:

Shaun H. Crosner
Michael S. Gehrt
Jacquelyn M. Mohr
PASICH LLP
1230 Rosecrans Avenue, Suite 690
Manhattan Beach, California 90266

Attorneys for Plaintiff West Marine Products, Inc.

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BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 23, 2023, at Irvine, California.

Conchita Nickles